

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Administration of the North American ) CC Docket No. 92-237  
Numbering Plan Carrier Identification )  
Codes (CICs) )

REPLY COMMENTS OF U S WEST, INC.

U S WEST, Inc. ("U S WEST") reiterates our position that permitting certain carriers to continue to process calls utilizing three-digit Carrier Identification Codes ("CIC"), while requiring other carriers to utilize four-digit CICs, is discriminatory and contrary to a fair and level competitive environment. Because the above is clearly the case, in the Second Report and Order,<sup>1</sup> the Federal Communications Commission ("Commission") correctly expedited the transition involving the use of three- to four-digit CICs from one extending out some six years to one completed in a significantly shorter time.

No commentor makes a compelling case for a substantive reconsideration of the current transition requirements. Certainly, none demonstrates that grandfathering three-digit CICs, nor allowing a transition plan that extends out for additional years, is appropriate from a competitive perspective nor in the public interest.

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<sup>1</sup> In the Matter of Administration of the North American Numbering Plan Carrier Identification Codes (CICs); Petition for Rulemaking of VarTec Telecom, Inc., CC Docket No. 92-237, Second Report and Order, FCC 97-125, rel. Apr. 11, 1997, 62 Fed. Reg. 19056, Apr. 18, 1997 ("Second Report and Order").

While U S WEST continues to believe that the sooner the transition from three- to four-digit CICs is accomplished the better, we – like Sprint Communications Company, L.P. (“Sprint”) – do recognize that the Commission’s shortened deployment schedule is an aggressive one.<sup>2</sup> Commentors have asserted in this proceeding – without much factual evidence in support – that certain incumbent local exchange carriers (“ILEC”) will not be completed with their conversion activities in sufficient time for interexchange carriers (“IXC”) to do the necessary customer education regarding the new dialing requirements or to reprogram currently-programmed customer premises equipment (“CPE”). U S WEST still has no independent knowledge that would support the existence of such a “problem” or would clarify its scope. Lacking that knowledge, it still appears to us that the timeline already established by the Commission is workable and should remain on target.

However, to the extent that the Commission finds that its currently-mandated conversion schedule does present the kinds of problems alleged by commentors, and that potential negative impacts on customers could be alleviated by some extension of time, U S WEST would support what Sprint describes as a “moderate extension of the transition period.”<sup>3</sup> U S WEST does appreciate that customers who currently have equipment programmed to do automatic dialing based on three-digit CICs would not be pleased if, one day, their equipment no

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<sup>2</sup> Sprint at 2.

<sup>3</sup> Id.

longer functioned. To avoid this market disruption,<sup>4</sup> should the Commission deem it appropriate, U S WEST could support the Sprint proposal that the Commission bifurcate – to some small extent – conversion obligations imposed on LECs and those imposed on IXC's who must build on the LEC CIC implementation and who are reliant on the conversions to be in place prior to certain CPE programming activities. We could support Sprint's proposal that "LECs be required to have in place all the necessary systems for handling 4-digit CICs and 7-digit [Carrier Access Codes] CACs by January 1, 1998, and that IXC's be given an additional 6 months, until June 30, 1998, to coordinate any changes with the ILECs and to assist end users in making any equipment changes necessary to accommodate 7-digit CACs."<sup>5</sup>

While supporting a modest extension, it should be reiterated that any extension carries with it competitive repercussions. Sprint is correct that, during this "extended transition period, carriers with 3-digit CICs may have an advantage over carriers with 4-digit CICs, whose end users must dial 2 extra digits to reach

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<sup>4</sup> U S WEST supports Sprint's recommendation because of the adverse customer impact that at least some commentators believe will be visited upon customers who currently enjoy pre-programmed dialing capabilities to certain carriers. Eliminating that dialing capability would be expected to produce customer annoyance and irritation. By acknowledging this, we should not be considered to support the more general proposition, advanced by certain commentators such as Cable and Wireless and MCI, that the lack of intraLATA toll presubscription and 1+ dialing capability with respect to such calls is an anticompetitive condition. IntraLATA toll dialing parity was specifically addressed in the Telecommunications Act of 1996. Such parity is not required until a Bell Operating Company ("BOC") has been authorized to provide in-region interLATA services or February 8, 1999, whichever is earlier. 47 U.S.C. § 271(e)(2)(B). Congressional permission to continue different dialing patterns for a certain period of time certainly does not imply that the Commission would be acting in an unreasonable or arbitrary manner if it hastens the advent of dialing parity in a different context.

<sup>5</sup> Sprint at 2-3.

them on a dial-around . . . basis.”<sup>6</sup> It is also correct that extending the transition out further than six-months would exacerbate this competitive disparity because an “increasing number of entities will be assigned 4-digit CICs.”<sup>7</sup> But, a short-term extension might be supportable if the Commission deems it correct that there are “thousands of customers who need additional time to reprogram their equipment and who need to be educated about the new dial-around dialing sequence.”<sup>8</sup>

Therefore, if the Commission deems an extension of any kind to be warranted with respect to the transition period, such an extension should not exceed six months additional time for IXC’s – not LEC’s – to complete their conversion activities. In all of their other particulars, the filed Petitions for Reconsideration should be denied.

Respectfully submitted,

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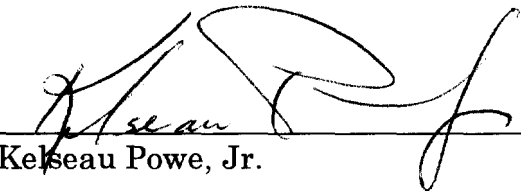
<sup>6</sup> Id. at 3.

<sup>7</sup> Id.

<sup>8</sup> Id.

## **CERTIFICATE OF SERVICE**

I, Kelseau Powe, Jr., do hereby certify that on this 2nd day of July, 1997, I have caused a copy of the foregoing **REPLY OF U S WEST, INC.** to be served via first-class United States Mail, postage prepaid, upon the persons listed on the attached service list.

  
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